

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

MARISA REVAK,)
Plaintiff,)
)
v.) **JUDGMENT**
) No. 7:18-CV-206-FL
HANS J. MILLER, *Sheriff in his official*)
and individual capacity, ONSLOW)
COUNTY SHERIFF'S OFFICE and THE)
OHIO CASUALTY INSURANCE)
COMPANY)
Defendants.)

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the defendants' motions to dismiss and motion for summary judgment.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered June 5, 2020 and for the reasons set forth more specifically therein, that defendants' Onslow County Sheriff's Office and Hans J. Miller's partial motion to dismiss DE36 is granted in part and denied in part and defendants' motion to dismiss DE53 is GRANTED. Plaintiff's retaliation § 1983 and § 1986 claims are DISMISSED WITHOUT PREJUDICE, and plaintiff's hostile work environment and NCWHA claims are ALLOWED to proceed. Where defendant OSCO lacks the capacity to be sued, and where such incapacity cannot be overcome by further factual specificity, plaintiff's claims against defendant OSCO are DISMISSED WITH PREJUDICE.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered August, 16, 2021 and for the reasons set forth more specifically therein, that defendant Hans J. Miller's motion for summary judgment is GRANTED.

This Judgment Filed and Entered on August 16, 2021, and Copies To:

Joseph Erik Hjelt / Michael A. Kornbluth (via CM/ECF Notice of Electronic Filing)
Mary Craven Adams (via CM/ECF Notice of Electronic Filing)

August 16, 2021

PETER A. MOORE, JR., CLERK

/s/ Sandra K. Collins
(By) Sandra K. Collins, Deputy Clerk